

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 285 be amended to read as follows:

- 1 Page 2, line 18, reset in roman "is considered to waive".
- 2 Page 2, line 18, after "his" insert "**the person's**".
- 3 Page 2, line 18, reset in roman "rights to remonstrate against".
- 4 Page 2, line 19, reset in roman "the annexation of the area served by
- 5 the sewage works."
- 6 Page 2, line 19, delete "may grant, as", begin a new paragraph and
- 7 insert:
- 8 "**(d) This subsection does not affect any rights or liabilities**
- 9 **accrued, or proceedings begun before July 1, 2013. Those rights,**
- 10 **liabilities, and proceedings continue and shall be imposed and**
- 11 **enforced under prior law as if this subsection had not been enacted.**
- 12 **For contracts executed after June 30, 2013, the release of the right**
- 13 **to remonstrate is binding on a successor in title to a party to the**
- 14 **contract only if the successor in title:**
- 15 **(1) has actual notice of the release; or**
- 16 **(2) has constructive notice of the release because the contract**
- 17 **has been entered and recorded in the chain of title of the**
- 18 **property."**
- 19 Page 2, delete lines 20 through 23.
- 20 Page 2, line 24, strike "(d)" and insert "(e)".
- 21 Page 2, delete lines 31 through 38.
- 22 Page 4, line 26, after "a" insert "**waiver**".
- 23 Page 4, line 37, delete "The annexation provision required in a
- 24 sewer service" and insert "**This subsection does not affect any rights**
- 25 **or liabilities accrued or proceedings begun before July 1, 2013.**
- 26 **Those rights, liabilities, and proceedings continue and shall be**
- 27 **imposed and enforced under prior law as if this subsection had not**
- 28 **been enacted. For contracts executed after June 30, 2013, a waiver**
- 29 **of the right to remonstrate under subsection (g) is binding as to an**
- 30 **executor, administrator, heir, devisee, grantee, successor, or assign**

1 of a party to a sewer service agreement under subsection (g) only
2 if the executor, administrator, heir, devisee, grantee, successor, or
3 assign:

4 (1) has actual notice of the waiver; or
5 (2) has constructive notice of the waiver because the sewer
6 agreement has been entered and recorded in the chain of title
7 of the property."

8 Page 4, delete lines 38 through 42.

9 Page 5, delete lines 1 through 4.

(Reference is to SB 285 as printed January 25, 2013.)

Senator BUCK